

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

GEORGE HARRIS,

Plaintiff,

v.

SOLANO COUNTY SHERIFF'S
DEPARTMENT, et al.,

Defendants.

No. 2:21-cv-0688 AC P

ORDER

Plaintiff, a state prisoner proceeding pro se and in forma pauperis, has filed this civil rights action seeking relief under 42 U.S.C. § 1983. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

Before this court are two letters recently filed by plaintiff. ECF Nos. 11, 12. The letters ask the court to dismiss this matter if – and only if – the filing fees recently taken from his inmate trust account – totaling \$46.62 – are returned to him. See generally id.

Plaintiff is informed that the filing fees cannot be returned. Payment of the fees is a requirement to bring an action in this court. See 28 U.S.C. § 1915(b)(1) (requirement that prisoner bringing civil action in forma pauperis pay full amount of filing fee). Accordingly, even if plaintiff were to voluntarily dismiss this case, the fees would continue to be debited from his

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1 account until the \$350.00 fee is paid in full. See 28 U.S.C. § 1914(a) (stating filing fee for civil
2 action).

3 On November 4, 2022, plaintiff was ordered to file a first amended complaint. ECF No.
4 9. Because plaintiff filed the instant fee requests after the court issued its screening order,
5 plaintiff will be given an additional thirty days to file an amended complaint. See ECF No. 9 at 8
6 (screening order).

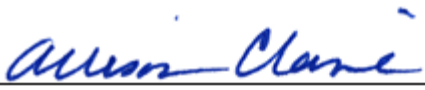
7 Accordingly, IT IS HEREBY ORDERED that:

8 1. The Clerk of Court shall send plaintiff a copy of this court's Civil Rights Complaint
9 By a Prisoner form;

10 2. Plaintiff's requests to have the filing fee returned to him (ECF Nos. 11, 12) are
11 DENIED, and

12 3. Within thirty days from the date of this order, plaintiff shall file a first amended
13 complaint.

14 DATED: January 23, 2023

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16 ALLISON CLAIRE
17 UNITED STATES MAGISTRATE JUDGE
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